

BRIAN J. STRETCH (CABN 163973)
United States Attorney

DAVID R. CALLAWAY (CABN 121782)
Chief, Criminal Division

HELEN L. GILBERT (NYBN 4736336)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7021
FAX: (415) 436-7234
Helen.Gilbert@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 16-038-SI
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER EXCLUDING TIME
)	
SHAUN VINCENT KELLEY,)	
)	
Defendant.)	
)	
)	

During the parties' appearance on April 22, 2016, the Court set May 13, 2016, as the next date for a further status, change of plea, or trial setting hearing. During that appearance, counsel requested that time between April 22, 2016, and May 13, 2016, be excluded from any time limits applicable under 18 U.S.C. § 3161, for the purpose of effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). At the April 22, 2016, hearing, the Court made findings consistent with that agreement.

//

1 IT IS SO STIPULATED:

2 BRIAN J. STRETCH
3 United States Attorney

4 DATED: April 27, 2016

5 _____/s/_____
HELEN L. GILBERT
6 Assistant United States Attorney

7 DATED: April 27, 2016

8 _____/s/_____
SHILPI AGARWAL
9 Assistant Federal Public Defender
Attorney for Defendant, Dangelo Reed

10
11
12 Attestation of Filer

13 In addition to myself, the other signatory to this document is Shilpi Agarwal. I attest that I have
14 his permission to enter a conformed signature on his behalf and to file the document.

15
16 DATED: April 27, 2016

17 _____/s/_____
HELEN L. GILBERT
18 Assistant United States Attorney
19
20
21
22
23
24
25
26
27
28

[PROPOSED ORDER]

For the reasons stated above and at the April 22, 2016 hearing, the Court finds that exclusion from the time limits applicable under 18 U.S.C. § 3161 the period from April 22, 2016, through May 13, 2016 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The failure to grant the requested exclusion of time would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: _____

THE HONORABLE SUSAN ILLSTON
United States District Court Judge